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**HAIR FOUND IN METAL ROOM NOT MARY
PHAGAN'S,**

**DECLARES DR. HARRIS; NEW TRIAL WILL
BE ASKED**

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**SENSATIONAL
ADMISSION BY**

**CHIEF EXPERT FOR
STATE**

**MADE TO JOURNAL
FRIDAY**

Dr. H. F. Harris Admits, When Questioned, That
He Exam-

ined Under Microscope Strands of Hair Found
on Lathe in

Metal Room and Compared Them With Mary Phagan's

Hair and That They Were Entirely Different in Texture and

Could Not Be the Same

FINDING OF HAIR ONE OF LINKS IN CHAIN

FIXING THE CRIME ON THE SECOND FLOOR

Defense Will Probably Make Dr. Harris' Statement the Ba-

sis for an Extraordinary Motion for a New Trial for

Frank—Dr. Harris Says He Reported Result of His Exam-

ination to the Solicitor and Thought No More About It.

Still Has Specimens of Hair

A new, and what is considered a most important feature of the Frank case, and one upon which the defense, it is believed, will base an extraordinary motion for a new trial for the condemned man, was developed Friday by the Journal.

The strands of hair found on the lathe handle in the metal room on the second floor of the National Pencil factory, which formed one of the state's links to fix the crime as having been committed on the second floor on which Leo M. Frank had his office, was not the hair of little Mary Phagan.

Dr. H. F. Harris, secretary of the state board of health, who performed the autopsy the autopsy on the Phagan girl's body and who exhumed it the second time, under directions of Solicitor Dorsey in order that some the girl's hair might be obtained to compare with the hair found on the lathe handle, is authority himself for the statement that the two specimens of hair were widely different and not from the head of the same girl.

Dr. Harris examined both samples of hair under the microscope. He says that the hair taken from the lathe handle was not of the same shade, texture or shape as that taken from Mary Phagan's head.

Reported Facts to Solicitor

Dr. Harris says that he reported this fact to the solicitor and the latter told him there would be no necessity of going any further with the hair theory.

"I never considered the matter a very material one, and dismissed it from my mind," said Dr. Harris. "And I don't recall that I was asked about the girl's hair while I was upon the witness stand. The samples of hair, with the exception of the two microscopic sections, were turned back to the solicitor. I have the microscope sections in my laboratory."

Significance of Statement

The defense will, it is said, lay particular stress upon the hair incident in its extraordinary motion for a new trial, alleging that it

is newly discovered evidence of a most vital character. In this motion the defense will, it is understood, contend that the testimony introduced by the state relative to the finding of hair on the lathe on the second floor of the pencil factory—the floor on which Frank had his office—caused the jury to believe that the murder was committed on the second floor and that this impression resulted in Frank being connected with the crime.

FRANK MOTION SATURDAY.

At a late hour Friday afternoon the motion for a rehearing before the supreme court of the Leo M. Frank case had not been filed.

The motion is said to be still incomplete, but the indications are that if not filed late Friday afternoon that the motion will reach the clerk of the supreme court during the day Saturday.

While the motion will be filed just as soon as it is completed by Attorneys Luther Z. Rosser and Reuben R. Arnold, the law allows the paper to be filed at any time before the remitter has been sent to the superior court. The remitter will not be sent down until ten days from the time the decision was announced, Tuesday, has expired.

C. E. Sear, manager of the Atlanta office of the Burns detective agencies, said Friday that Dan Lehon, division manager, who will assist W. J. Burns in a study of the Mary Phagan murder case, had returned to New Orleans and would not come back to Atlanta until Mr. Burns is ready to take up the matter. That will be about March 1, said Mr. Sear.

“Our office has the basic facts of the case pretty well in hand already,” said Mr. Sear. “Everything will be prepared for a start without delay as soon as Mr. Burns gets ready to begin his investigation.”
